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PTO/SB/64 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)

2000-0048 (1014-093)

First named inventor: Levy, Yonatan Aharon

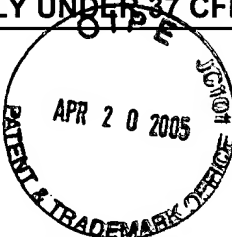
Application No.: 09/722,898

Filed: 27 November 2000

Art Unit: 2666

Examiner: Moore, Jr., Michael J.

Title: Method and Device for Efficient Bandwidth Management



Attention: Office of Petitions

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

FAX (703) 872-9306

NOTE: If information or assistance is needed in completing this form, please contact Petitions
Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

- ☐ Small entity-fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.
- ☒ Other than small entity - fee \$ 1500.00 (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in
the form of _____ (identify type of reply):

- ☐ has been filed previously on _____.
- ☐ is enclosed herewith.

B. The issue fee and publication fee (if applicable) of \$ 1400.00.

- ☐ has been paid previously on _____.
- ☒ is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

<p>_____ Signature</p> <p>Michael N. Haynes Typed or printed name</p> <p>1341 Huntersfield Close Address</p> <p>Keswick, Virginia 22947 Address</p>	<p>20 March 2005 Date</p> <p>40,014 Registration Number, if applicable</p> <p>434-972-9988 Telephone Number</p>
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- Enclosures: ☒ Fee Payment
- ☐ Reply
- ☐ Terminal Disclaimer Form
- ☒ Additional sheets containing statements establishing unintentional delay
- ☒ Other: Certificate of Transmission, Part B-Fee(s) Transmittal (Form PTOL-85), Credit Card Payment Form

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

- ☐ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.
- ☐ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office as (703) 872-9306.

<p>_____ Date</p>	<p>_____ Signature</p> <p>_____ Typed or printed name of person signing certificate</p>
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PATENT

Application # 09/722,898

Attorney Docket # 2000-0048 (1014-093)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Levy, Yonatan Aharon
Application # : 09/722,898
Confirmation # : 3662
Filed : 27 November 2000
Application Title : METHOD AND DEVICE FOR EFFICIENT BANDWIDTH
MANAGEMENT
Art Unit # : 2666
Latest Examiner : Moore Jr., Michael J.

Mail Stop Petition

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**STATEMENT IN SUPPORT OF
PETITION FOR REVIVAL OF AN APPLICATION
FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Applicant submits this statement supporting applicant's attached petition for revival of an application for patent abandoned unintentionally under 37 CFR 1.137(b).

1. AT&T Corp, the assignee of the above-referenced patent application, had every intention to timely pay the issue fee in response to the 28 October 2004 Notice of Allowance for the present application.

2. At the time of receipt of the 28 October 2004 Notice of Allowance by AT&T Corp, the present application was being handled by outside counsel, Michael Haynes, on behalf of AT&T Corp.
3. At the time of receipt of the 28 October 2004 Notice of Allowance, AT&T Corp decided to instruct Michael Haynes to timely pay the issue fee, and this decision was sent via e-mail to Michael Haynes.
4. Due to unknown e-mail errors, the e-mail sent by AT&T Corp was not timely received by Michael Haynes, and thus, Michael Haynes did not know of AT&T Corp's decision or timely file the issue fee payment.
5. Consequently, until the receipt of the 7 March 2005 Notice of Abandonment, AT&T Corp was under the impression that the issue fee was timely paid by Michael Haynes, and Michael Haynes remained unaware of the Notice of Allowance or AT&T's desire to pay the issue fee.
6. Upon receipt of the Notice of Abandonment, AT&T Corp notified Michael Haynes, who determined the above facts, and promptly prepared this Petition and payment of the issue fee.

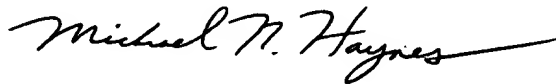
CONCLUSION

It is respectfully submitted that, in view of the foregoing statement, the application should be revived, the attached issue fee payment should be accepted, and the application should be allowed to issue.

The Examiner is invited to contact the undersigned at 434-972-9988 to discuss any matter regarding this application.

Respectfully submitted,

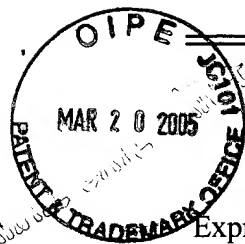
Michael Haynes PLC

A handwritten signature in black ink, reading "Michael N. Haynes". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Date: 20 April 2005

Michael N. Haynes
Registration No. 40,014

1341 Huntersfield Close
Keswick, VA 22947
Telephone: 434-972-9988
Facsimile: 815-550-8850



CERTIFICATE OF EXPRESS MAILING

Express Mail Mailing Label Number: EV 564482281 US

Date of Deposit: 20 April 2005

Pursuant to 37 C.F.R. § 1.10, I certify that I am personally depositing the following paper(s) or fee(s) with the "Express Mail Post Office to Addressee" service of the United States Postal Service on the above date in a sealed envelope (a) having the above-numbered Express Mail label and sufficient postage affixed, and (b) addressed to:

Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA, 22313

- Stamped, self-addressed postcard for USPTO receipt stamp (1 card)
- Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 CFR 1.137(b) (2 sheets)
- Statement in Support of Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 CFR 1.137(b) (3 sheets)
- PTOL-85 Part B – Fee(s) Transmittal (1 sheet)
- PTO/SB/17 Fee Transmittal Form (1 sheet)
- PTO-2038 Credit Card Payment Form (1 sheet)

Application Number	09/722,898	Art Unit:	2666
Confirmation No.:	3662	Examiner:	Moore, Jr., Michael J.
Filing Date:	27 November 2000	Inventor:	Levy, Yonatan Aharon
Document Submission Date:	20 April 2005	Docket:	2000-0048 (1014-093)

20 Apr 2005

Eden Brown

Date

Name of Certifier

Signature of Certifier